Circuit Court for the City of Hampton, VA***the twenty-fourth day of August, in the year of our Lord one thousand nine hundred and seventy-three.

Book 46 Page 451

VIRGINIA: IN THE CIRCUIT COURT FOR THE CITY OF HAMPTON

BO-JAC LTD.
T/A Miss Masseuse

Plaintiffs

vs. #10801

CITY OF HAMPTON, VIRGINIA

Defendant

O R D E R

THIS DAY CAME the Attorney for the Plaintiff and requests that this cause be dismissed from the docket of this Court.

AND IT APPEARING that nothing further should be done in this cause, it is hereby ADJUDGED, ORDERED and DECREED that the same be dismissed from the docket of this Court.

ENTER this Order forthwith.

Entered this 24th day of August, 1973.

/s/ Nelson T. Overton, Judge

I ask for this:

/s/ Kenneth C. Hogge

Have Seen: and object to its entry unless same be with prejudice to the Plaintiffs.

/s/ Thomas E. Glascock

COPY TESTE:

C. M. GIBSON, Clerk

By Carolyn G. Gilbert
Dep. Clerk

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NEWPORT NEWS DIVISION

PATRICIA HOGGE,

EARLE PHILLIPS,
T/A Paradise Massage Parlor

BO-JAC, LTD.,
T/A Miss Masseuse,

Plaintiffs

v. CIVIL ACTION
NO.42-72-NN

MEMBERS OF THE CITY COUNCIL,
CITY OF HAMPTON, VIRGINIA:
DAVID MONTAGUE, Mayor, ANN
KILGORE, TOM WATERS, CHARLES
WORNOM, HENRY MARTIN, WILLIS
COX, HARRY B. DYCHE, each in
their official capacity,

Defendants

Proceedings had in the above entitled causes on the 7th day of July, 1972, at 9 a.m., in the United States District Court for the Eastern District of Virginia, Newport News Division, at Norfolk, Virginia, before the Honorable Richard B. Kellam, United States District Judge.

Testimony in reference to the status of the state court proceedings at page 7.

THE COURT: There has been no request to have it set for trial..

MR. GLASCOCK: No, sir.

THE COURT:...or hearing on it?

MR. GLASCOCK: No, sir.

THE COURT: Now, the hearing which was held--that was on application for a temporary injunction?

MR. GLASCOCK: Temporary Injunction; yes.

THE COURT: That was denied?

MR. GLASCOCK: Yes, sir.

THE COURT: So, it just stands at that point?

MR. GLASCOCK: Stands at that point.